

# JOURNAL OF THE FLORIDA SENATE

Tuesday, February 8, 1972

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

## INTRODUCTION

By Senator Poston—

SB 566—A bill to be entitled An act relating to the regulation of traffic; amending §316.131(3), Florida Statutes, as created by chapter 71-135, Laws of Florida, to provide an extension of time for compliance; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Senator Reuter—

SB 567—A bill to be entitled An act relating to minors; creating §743.06, Florida Statutes, to provide for the removal of the disabilities of nonage for persons 18 years of age or older; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Henderson—

SB 568—A bill to be entitled An Act relating to ad valorem taxation; amending §193.052(7), Florida Statutes, as amended by chapter 70-243, Laws of Florida, relating to the filing of tax returns; eliminating the requirement that copies of each annual and final accounting be filed in the county judge's court or the circuit court, or with the tax assessor; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Bishop—

SB 569—A bill to be entitled An act relating to the Stephen Foster Memorial; providing for general improvement, new facilities construction, and the acquisition of an entranceway at the memorial located at White Springs; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Efficiency and Ways and Means.

By Senator Lane—

SB 570—A bill to be entitled An act relating to Central Broward Drainage District, Broward County, Florida, amending chapter 71-388, Laws of Florida, Special Acts of 1971, by amending the title and section 1 thereof by correcting the references therein to other acts.

Evidence of notice and publication was established by the Senate as to SB 570.

—was read the first time by title and referred to the Committees on Ways and Means and Rules, Calendar, Privileged Business and Ethics.

By Senator Brantley—

SB 571—A bill to be entitled An act relating to the state university system; authorizing the board of regents to establish an auxiliary trust fund in the state treasury from general revenue funds currently appropriated to the board; providing an effective date.

—was read the first time by title and referred to the Committees on Universities and Community Colleges and Ways and Means.

By Senators Graham, Broxson, Reuter, Weissenborn and Myers—

SB 572—A bill to be entitled An act relating to early childhood and family development; creating an office of early childhood development in the office of the governor to oversee all early childhood programs; establishing an early childhood development advisory council composed of eighteen members; establishing an early childhood training program under which qualified groups can apply to the department of education for grants to help support personnel training programs; making the department of education responsible for encouraging public broadcasting programming in the areas of early childhood education; providing that an annual report be made to the legislature on early childhood programs; containing a severability clause; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Efficiency and Ways and Means.

By Senator Horne—

SB 573—A bill to be entitled An act relating to the old union bank building; directing the division of archives, history and records management of the department of state to promote the remodeling and renovating of said building; providing an appropriation therefor; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Horne—

SB 574—A bill to be entitled An act relating to the number of licenses to be issued to vendors of alcoholic beverages; amending §561.20(1) and (2)(a), Florida Statutes; providing that all special licenses issued shall be counted in the quota limitation; amending §561.20, Florida Statutes, adding subsection (8) to said section; limiting the number of licenses that may be held by an individual or corporation; repealing §561.20(2)(b), Florida Statutes, relating to application in any county having home rule; providing an effective date.

—was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Lane—

SB 575—A BILL TO BE ENTITLED AN ACT RELATING TO PORT EVERGLADES AUTHORITY; AMENDING PART VI, ARTICLE 2, SECTION 2, CHAPTER 59-1157, LAWS OF FLORIDA, AS AMENDED BY CHAPTER 65-1318, LAWS OF FLORIDA, AS AMENDED BY CHAPTER 71-579, LAWS OF FLORIDA; RELATING TO DEFINITION AND DESCRIPTION OF LANDS DEFINED AS "PORT OPERATIONAL LANDS"; PROVIDING AN EFFECTIVE DATE.

Evidence of notice and publication was established by the Senate as to SB 575.

—was read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

By Senator Lane—

SB 576—A bill to be entitled An act relating to annual license taxes; amending section 320.08, Florida Statutes, changing formula upon which the tax is based; providing a fee schedule; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Senator Lewis (43rd)—

SB 577—A bill to be entitled An Act relating to jurors; providing compensation for wage loss suffered by employees

required to serve on juries of court; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary—Civil B and Ways and Means.

By Senator Gong—

SB 578—A bill to be entitled An act relating to the claims against officers or employees of the state or its subdivisions, amending chapter 768, Florida Statutes, by adding section 768.15; authorizing the defense of tort claims against officers or employees of the state and its subdivisions; providing an effective date.

—was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Weissenborn—

SB 579—A bill to be entitled An act relating to pari-mutuel racing and jai alai; amending section 550.035(2), Florida Statutes, creating the Bicentennial Commemoration Trust Fund, deleting the provision that the total proceeds cannot exceed the amount of \$350,000 in any year to be appropriated to the state bicentennial commission for the purpose of carrying out its statutory duties; providing an effective date.

—was read the first time by title and referred to the Committees on Rules, Calendar, Privileged Business and Ethics and Ways and Means.

By Senators Arnold, Pope, Brantley and Beaufort—

SB 580—A bill to be entitled An act relating to racing; amending subsection (3) of section 550.03, Florida Statutes, providing an extra day of racing at any track or fronton in Duval, Clay and St. Johns Counties conducting pari-mutual wagering; and relating to the disposition of the proceeds thereof; providing an effective date.

—was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator McClain—

SB 581—A bill to be entitled An act relating to removal of trees; specifying property to which this act is applicable; providing exemptions; providing administrative and appellate procedures; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Boyd—

SB 582—A bill to be entitled An act relating to public utilities; amending section 366.02, Florida Statutes, and redefining the term public utilities; amending section 366.11, Florida Statutes, by removing certain exemptions pertaining to sales of natural gas to municipal electric generating plants from the provisions of chapter 366; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator Horne—

SB 583—A bill to be entitled An act relating to retirement; setting aside the provisions of §122.10(3), Florida Statutes, for state employees who were permitted to retire simultaneously under the provisions of §112.05 and chapter 122, Florida Statutes, prior to April 23, 1969; requiring the administrator of the Florida retirement system to establish rules and procedures to prevent such dual retirements; providing an effective date.

—was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senators Boyd, Horne and Thomas—

SB 584—A bill to be entitled An act relating to education; amending section 229.012, Florida Statutes, creating a cabinet board of education and prescribing its powers and duties; creating an appointed citizens state board of education and prescribing its powers and duties; amending section 20.15(1),

(2), (3) and (4), Florida Statutes, making the appointed citizens state board of education as created in section 229.012, Florida Statutes, the head of the department of education and providing that the commissioner of education, with the consent of the state board of education, shall appoint the director of the divisions of the department of education; abolishing the board of regents as created in chapter 240, Florida Statutes; providing an effective date.

—was read the first time by title and referred to the Committees on Universities and Community Colleges and Governmental Efficiency.

The Senate recessed at 8:32 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—45:

Mr. President	Deeb	Johnson (34th)	Sayler
Arnold	de la Parte	Karl	Scarborough
Barron	Ducker	Knopke	Stolzenburg
Barrow	Fincher	Lane	Trask
Beaufort	Gong	Lewis (33rd)	Ware
Bell	Graham	Lewis (43rd)	Weber
Bishop	Gunter	McClain	Weissenborn
Boyd	Haverfield	Myers	Williams
Brantley	Henderson	Plante	Wilson
Broxson	Hollahan	Poston	
Childers	Horne	Reuter	
Daniel	Johnson (29th)	Saunders	

Excused: Senators Pope, Brannen and Ott; Senator Bishop after 10:30 a.m.

Prayer by Senator Trask:

Our Father, as we begin another day we pause to give thee thanks—thanks for the blessings of this life and the opportunities of this day. We especially thank thee for the blessing of freedom. Make us ever mindful that it was earned through great sacrifice and we must work to protect it. And now as we go about our work grant us humility and patience that we might listen; wisdom and knowledge that we might make decisions pleasing to thee; and most of all, grant unto us compassion for our fellow man that we might be more like thee. We ask these things in Jesus' name. Amen.

The Senate pledged allegiance to the flag of the United States of America.

The Journal of February 7 was corrected and approved.

The Journal of February 1 was further corrected and approved as follows:

Page 2, column 2, between lines 19 and 20 insert: —was read the first time by title and referred to the Committee on Governmental Efficiency.

Page 2, column 2, line 28, strike "Governmental Efficiency" and insert: Reapportionment and Redistricting

Page 50, column 1, strike line 7 and insert: The Committee on Health, Welfare and Institutions recom-

## REPORTS OF COMMITTEES

The Committee on Commerce recommends the following pass:

SB 342  
SB 300 with 1 amendment

SB 358 with 2 amendments

The Committee on Governmental Efficiency recommends the following pass:

SB 318  
SB 311 with 2 amendments

SB 357  
SB 360

The Committee on Judiciary—Criminal recommends the following pass:

SB 6 with 2 amendments      SB 198      SB 224

The Committee on Natural Resources and Conservation recommends the following pass: SR 395

The Committee on Transportation recommends the following pass:

SB 305      SB 372 with 1 amendment  
SB 330 with 3 amendments      SCR 400 with 1 amendment  
SB 367

The Committee on Commerce recommends the following pass:

SB 477      SB 488 with 1 amendment      SB 491

The Committee on Governmental Efficiency recommends the following pass:

SB 484      SB 398      SB 332      SB 271

The Committee on Transportation recommends the following pass: SB 500 with 2 amendments, SR 512

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Judiciary—Civil B recommends a Committee Substitute for the following: SB 421

The Committee on Judiciary—Criminal recommends the committee substitute as offered by the Committee on Universities and Community Colleges for SB 277

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 187

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 433

The Committee on Commerce recommends a Committee Substitute for the following: SB 481

The Committee on Governmental Efficiency recommends a Committee Substitute for the following: SB 329

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Governmental Efficiency recommends the following pass: SB 236, SB 324 with 1 amendment

The Committee on Transportation recommends the following pass:

SB 333 with 3 amendments      SB 336      SB 337

The Committee on Natural Resources and Conservation recommends the following pass: SB 362, SB 434, SB 437

The Committee on Governmental Efficiency recommends the following pass:

SB 340      SB 361  
SB 302 with 2 amendments      SB 347

The Committee on Transportation recommends the following pass: SB 390 with 3 amendments

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Transportation recommends the following pass: SB 335

The bill was referred to the Committee on Governmental Efficiency under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 438 with 1 amendment

The bill was referred to the Committee on Judiciary—Civil A under the original reference.

The Committee on Commerce recommends the following pass: SB 364 with 1 amendment

The bill was referred to the Committee on Judiciary—Criminal under the original reference.

The Committee on Governmental Efficiency recommends the following not pass: SB 327

The Committee on Transportation recommends the following not pass: SB 383, SB 392, SB 511

The Committee on Judiciary—Criminal recommends the following not pass:

SB 33      SB 57      SB 206      SB 242

The Committee on Natural Resources and Conservation recommends the following not pass: SB 212, SB 216

The bills contained in the foregoing reports were laid on the table.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator McClain, SB 265 was withdrawn from the Committee on Judiciary—Criminal by two-thirds vote and from further consideration of the Senate.

On motion by Senator Johnson (29th), SB 15 was withdrawn from the Committee on Commerce by two-thirds vote and from further consideration of the Senate.

Senator de la Parte raised a point of order that SB 224 affects appropriations and should be removed from the calendar and referred to the Committee on Ways and Means pursuant to Rule 4.6. The President ruled the point well taken.

On motion by Senator Stolzenburg, SB 297 was withdrawn from the Committee on Governmental Efficiency by two-thirds vote and from further consideration of the Senate.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas  
President of the Senate*

February 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 475.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

The bill contained in the above message was ordered enrolled.

*The Honorable Jerry Thomas  
President of the Senate*

February 4, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Wilson—

SB 69—A bill to be entitled An act relating to motor vehicles, repealing section 320.59 of Chapter 320, Florida Statutes, relating to the liability of an owner or operator of a motor vehicle to a guest or passenger transported without payment therefor; providing an effective date.

—which amendment reads as follows:

On page 1, line 16, strike "October 1, 1972" and insert the following: upon becoming a law

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Wilson the Senate concurred in the House amendment to SB 69.

SB 69 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—29

Mr. President	de la Parte	Johnson (29th)	Stolzenburg
Barrow	Ducker	Johnson (34th)	Ware
Beaufort	Fincher	Karl	Weber
Bell	Gong	Lewis (43rd)	Williams
Boyd	Graham	Myers	Wilson
Broxson	Gunter	Plante	
Daniel	Henderson	Poston	
Deeb	Hollahan	Reuter	

Nays—7

Arnold	Childers	Lewis (33rd)	Scarborough
Bishop	Lane	Saylor	

By unanimous consent, Senators Broxson and Williams changed their votes from yea to nay; Senators Brantley and Haverfield were recorded as voting nay and Senator McClain was recorded as voting yea.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 4, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Gillespie (by request) and Sykes—

HB 1974—A bill to be entitled An act relating to insurance; amending section 627.0117 (1), Florida Statutes, to provide that the face amount of an insurance contract shall be payable notwithstanding a violation of any other provision of the Florida insurance code which limits the amount of insurance that may be provided; providing an effective date.

By the Committee on Insurance—

HB 2254—A bill to be entitled An act relating to insurance; amending chapter 627, Florida Statutes, by adding a new section to be numbered 627.0420, authorizing the issuance of association group life insurance policies, providing for the payment of the premiums on such policies, providing for use of dividends, premium refunds, and service fees, providing maximum policy limits; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

February 4, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Spicola and Gillespie—

HB 564—A bill to be entitled An act relating to cancellation or nonrenewal of casualty insurance contracts; amending §627.0852(9)(c), (d) and (11), Florida Statutes; providing that insurance contracts reinstated pursuant to an administrative hearing shall take effect from the date of cancellation and continue in effect thereafter; providing for assessment of costs and attorney's fees; excluding certain persons from exemption from suit when furnishing the department information concerning the cancellation or nonrenewal of an insurance contract; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

House Bills 1974, 2254 and 564, contained in the above messages, were read the first time by title and referred to the Committee on Commerce.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 4, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Insurance and Representative Hartnett—

CS for HB 534—A bill to be entitled An act relating to licensing of life insurance agents; amending section 626.171(3), Florida Statutes, to provide that an application for a life agent's license must state whether it is for a primary or additional license; amending section 626.331(3), Florida Statutes, to provide that a life agent shall have a separate license, known as a primary license upon his initial qualification as a life agent and shall have a separate additional license for each subsequent insurer represented; amending section 626.341, Florida Statutes, to provide that life agents may make application for additional licenses while a primary license is in effect; amending section 626.391(4), Florida Statutes, to provide that if the primary license of a life agent is terminated for any reason, that all subsequent or additional licenses shall terminate sixty (60) days thereafter; amending section 626.431(2), Florida Statutes, to provide that no examination shall be required for the renewal or continuance of any additional or subsequent license of a life agent if the expiration or termination of same was caused by the termination, expiration, or non-renewal of a primary license; amending section 626.471, Florida Statutes, by renumbering subsections (2), (3), and (4) as subsections (3), (4), and (5) and adding new subsection (2) to provide that upon termination by an insurer or a life agent of a primary license, the department shall terminate all other licenses provided that no other primary license has been issued; amending section 626.511(1), Florida Statutes, to provide that any insurer terminating the appointment and license of an agent shall file with the department a statement of the reasons therefor unless a license is terminated solely by reason of termination of a primary license; amending section 626.0210(2)(e), Florida Statutes, and adding a new paragraph (f) to said subsection, to provide that an application for a life agent's license must state whether it is for a primary or additional license; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 534, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 4, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Stevens—

HB 1823—A bill to be entitled An act relating to municipal officers; amending §165.25, Florida Statutes; providing for the voluntary retirement of elected officers of a city or town who have held any elective offices of that city or town for twenty or more consecutive years; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 1823, contained in the above message, was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 4, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Tittle—

HB 1662—A bill to be entitled An act relating to insurance risk apportionment plans; amending §627.351(6), Florida Statutes, 1970 Supplement, as created by §1 of chapter 70-234, Laws of Florida, to provide that the risk apportionment plan for windstorm insurance coverage shall include coverage for mobile homes, trailers and semitrailers; providing an effective date.

By Representative Gillespie—

HB 1810—A bill to be entitled An act relating to insurance; amending chapter 626, Florida Statutes, by adding new section 626.06111 to provide that it shall be deemed an unfair trade practice for an insurer to offer a reduced initial premium for the purpose of enticing the purchaser to buy a life, annuity or disability policy; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

February 4, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Hartnett—

HB 452—A bill to be entitled An act relating to insurance code, group disability insurance; amending §627.0602 (1) (c), Florida Statutes, providing that no director of a corporate employer shall be eligible for group disability insurance unless such person receives an annual compensation from the corporation in excess of two thousand five hundred dollars (\$2,500); providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

House Bills 1662, 1810 and 452, contained in the above messages, were read the first time by title and referred to the Committee on Commerce.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Finance & Taxation—

HB 3202—A bill to be entitled An act relating to taxation; providing for procedures to be used by tax assessors in assessing property; amending section 193.023, Florida Statutes, by adding new subsections (2) and (3); amending chapter 71-309, Laws of Florida, by repealing section 3 and adding a new subsection (4) to section 196.031, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3202, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Finance & Taxation—

CS for HB 3041—A bill to be entitled An act relating to taxation; amending chapter 192, Florida Statutes, by creating new section 192.012, Florida Statutes, to provide that the assessment ratio study conducted by the auditor general shall be conducted on all non-exempt real and personal property except in 1972 and 1973 in which years it shall be conducted on non-exempt real property only; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

February 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Ogden—

HB 1071—A bill to be entitled An act relating to taxation; creating §196.301, Florida Statutes, to provide that no property of The Florida Bar Association shall be exempted from ad valorem taxation in certain circumstances; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 3041, and HB 1071, contained in the above messages, were read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Jerry Thomas  
President of the Senate*

February 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Yancey—

HB 339—A bill to be entitled An act relating to the department of highway safety and motor vehicles; providing that all uniformed officers of the division of the Florida highway patrol of the department of highway safety and motor vehicles shall retire upon attaining age sixty-two (62); providing definitions; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

*The Honorable Jerry Thomas  
President of the Senate*

February 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of the membership of the House—

By Representative Birchfield—

HB 1229—A bill to be entitled An act for the relief of Daniel K. Dickson and Linda Jean Dickson; providing for an appropriation to compensate them for damages sustained as a result of the negligence of John F. Sheppard, an employee of the State Department of Public Safety; providing an effective date.

By Representative Andrews (by request)—

HB 1651—A bill to be entitled An act for the relief of Mrs. Dewey Anderson; providing an appropriation to compensate her for injury suffered at Santa Fe Junior College; providing an effective date.

By Representative Ogden—

HB 1073—A bill to be entitled An act for the relief of Linda D. Maginnis, Elaine Maginnis Hunt and Carol Maginnis Ilano, on account of the death of their father, James Sanford Maginnis, while he was a patient of the Northeast Florida State Hospital at Macclenny, Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

House Bills 339, 1229, 1651 and 1073, contained in the above messages, were read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

*The Honorable Jerry Thomas  
President of the Senate*

February 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Andrews—

HB 481—A bill to be entitled An act relating to extension service; providing for extension work between the cooperative extension service of the university of Florida's institute of food and agricultural sciences and boards of county commissioners and/or other legally constituted local governing bodies; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

HB 481, contained in the above message, was read the first time by title and referred to the Committee on Universities and Community Colleges.

*The Honorable Jerry Thomas  
President of the Senate*

February 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Finance & Taxation—

CS for HB's 79 & 417—A bill to be entitled An act relating to taxation of motor vehicles; amending section 319.23, Florida Statutes, by adding new subsection (6) to provide conditions precedent to issuance of title; providing an effective date.

By the Committee on Governmental Organization & Efficiency—

CS for HB 128—A bill to be entitled An act relating to the reporting of consulting services utilized by state agencies; providing definitions; providing that consultants submit copies of all reports; providing that each agency shall file reports pertaining to consulting services utilized quarterly; providing that the department of administration shall compile the agency reports into an overall quarterly report; authorizing the division of personnel and retirement of the department of administration to review personal service budgets; providing an effective date.

By Representatives Gillespie and Hazelton—

HB 306—A bill to be entitled An act relating to anatomical gifts; providing that prisoners in the correctional system may donate tissue or vital organs for medical purposes under certain conditions; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

CS for HB's 79 and 417, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

CS for HB 128, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

HB 306, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

*The Honorable Jerry Thomas  
President of the Senate*

February 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required 2/3rds vote of the membership of the House—

By Representative Tucker—

HB 1536—A bill to be entitled An act providing for the relief of Effie F. Beasley; providing an appropriation to compensate her for retirement income; providing an effective date.

By Representative Reeves and others—

**HB 1654**—A bill to be entitled An act for the relief of Dian L. Berry; providing an appropriation to compensate her for damages sustained as the result of the negligence of the University of West Florida; providing an effective date.

By Representative Johnson—

**HB 1495**—A bill to be entitled An act for the relief of Arthur J. Cote; providing an appropriation to compensate him for loss of personal clothing and injury through the careless maintenance of a manhole cover on U.S. 801, north of 8th Street, in Sarasota County; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

House Bills 1536, 1654 and 1495, contained in the above message, were read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Forbes—

**HB 681**—A bill to be entitled An act relating to public defenders; amending §27.59, Florida Statutes, to provide the public defender access to prisoners in order to tender them advice and counsel upon affirmation of insolvency; providing an effective date.

By Representative Holloway—

**HB 1467**—A bill to be entitled An act relating to transportation; adding subsection (3) to §1 of chapter 70-239, Laws of Florida, appearing as §334.021, Florida Statutes, 1970 Supplement; requiring all expressway authorities, transportation, mass transit and similar authorities to submit design and construction plans to the department of transportation prior to construction; requiring that certain other planned transportation facilities be approved by the department prior to construction; providing an effective date.

By Representative Shaw—

**HB 1453**—A bill to be entitled An act relating to consumer deception, regulating the use in advertising of the term "FREE" and words of similar meaning and intent, providing for injunctions by the Commissioner of Agriculture or the Attorney General to prohibit violations, repealing Section 817.415, providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**HB 681**, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

**HB 1467**, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

**HB 1453**, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Judiciary and Representative Walker—

**CS for HB 1204**—A bill to be entitled An act relating to the claims against officers or employees of the state or its subdivisions, amending chapter 768, Florida Statutes, by adding section 768.15; authorizing the defense of tort claims against officers or employees of the state and its subdivisions; providing an effective date.

By Representative Ogden—

**HB 3078**—A bill to be entitled An act relating to tax exemptions; amending subsections 196.012(5), 196.192(2) and 196.199(2) and (3), Florida Statutes, and adding subsection (7) to section 196.199, Florida Statutes, as created or amended by chapter 71-133, Laws of Florida; limiting the exemption for certain governmental leasehold interests; providing for procedures for taxation of certain interests created prior to June 1, 1971; providing that property used for predominantly exempt purposes be exempt to the extent that such use bears to the total use; providing exemption for governmental leasehold interests only when lessee thereof uses the property for governmental purposes or functions; repealing section 14 of chapter 71-133, Laws of Florida; providing for severability; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**CS for HB 1204**, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

**HB 3078**, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Jerry Thomas*  
*President of the Senate*

February 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Martinez—

**HB 1377**—A bill to be entitled An act relating to county public health units; amending §154.04, Florida Statutes, by providing that the directors thereof shall be physicians licensed under chapter 458 or 459, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**HB 1377**, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

Unanimous consent was granted Senator Scarborough to introduce out of order—

By Senators Scarborough, Brantley, Pope, Beaufort, Arnold, Barron, Barrow, Bell, Bishop, Boyd, Broxson, Childers, Daniel, Deeb, de la Parte, Ducker, Fincher, Gong, Graham, Gunter,



Haverfield, Henderson, Hollahan, Horne, Johnson (29th), Johnson (34th), Karl, Knopke, Lane, Lewis (33rd), Lewis (43rd), McClain, Myers, Ott, Plante, Poston, Reuter, Saunders, Sayler, Stolzenburg, Thomas, Trask, Ware, Weber, Weissenborn, Williams and Wilson—

**SR 627**—A resolution commending Patrolman Edward J. Parker for outstanding law enforcement service and expressing deep regret at his death while in the line of duty.

WHEREAS, Patrolman Edward J. Parker was a veteran of nine years in the Duval County Sheriff's Department, serving it in a truly outstanding and professional manner, and

WHEREAS, Patrolman Edward J. Parker gave freely of his time to assist in the training of police helicopter pilots and was vitally interested in the betterment of the Duval County Sheriff's Department, and

WHEREAS, Patrolman Edward J. Parker was a kind and considerate family man, one who cared for an aging mother in his home as well and his wife and two children, and

WHEREAS, Patrolman Edward J. Parker consistently knew and faithfully performed his duty to the extent that he departed his home and family at midnight and, while investigating a rape, was shot and robbed by an unknown assailant, and

WHEREAS, on February 6, 1972, Edward J. Parker, at age 34, died in the performance of his duties, the victim of this assailant's bullet, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate does hereby recognize and salute the many years of outstanding law enforcement service provided by Patrolman Edward J. Parker.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate with the Seal of the Senate affixed, be presented to his wife, Iris Parker, and their two daughters, Linda and Kelly, expressing the senate's deep regret at the tragic death of Patrolman Edward J. Parker.

—which was read the first time. On motion by Senator Scarborough the rules were waived and the resolution was placed on the calendar.

On motion by Senator Scarborough, unanimous consent was obtained to take up SR 627 out of order. On motion by Senator Scarborough, SR 627 was read the second time in full and unanimously adopted.

On motion by Senator Hollahan, the rules were waived and the following amendments to the Rules recommended by a select subcommittee of the Committee on Rules, Calendar, Privileged Business and Ethics were taken up.

The Committee on Rules, Calendar, Privileged Business and Ethics recommended the following amendment to the Senate Rules which was adopted by unanimous vote on motion by Senator Horne:

On Page 55, following Rule 4.15, insert a new section:

4.151—Notwithstanding anything in these rules to the contrary each Senator may each regular session designate on notice forms to be supplied by the Secretary of the Senate, any two bills or resolutions introduced by said Senator or by a Committee on which he serves, as bills or resolutions of preference on the General Order Calendar, and said bills or resolutions shall preempt the General Order Calendar in the order that such notice is received in the office of the Secretary of the Senate. Said notice shall be filed no later than 4:30 p.m. on any legislative day, preceding the day of publication of the General Order Calendar, unless such day should be a Friday, in which event the said notice shall be filed no later than 2:30 p.m. Any bills designated by any Senator as bills or resolutions of preference not considered at the legislative session in which they first appear on the General Order Calendar shall retain their position of preference on the General Order Calendar until such time as they are considered or otherwise removed.

The Committee on Rules, Calendar, Privileged Business and Ethics recommended the following amendment to the Senate Rules which was adopted by unanimous vote on motion by Senator Horne:

Rule 4.15, Page 55, is amended to read as follows:

4.15—Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension thereof by virtue of membership of the legislature as permitted under the Constitution, the Committee on Rules, Calendar, Privileged Business and Ethics may shall from day to day on each day submit a Special Order Calendar determining the priority for consideration of bills and joint resolutions. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills or joint resolutions shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate except that any bill or joint resolution appearing on this calendar may be stricken therefrom by a two-thirds (2/3) vote of the Senators present. All bills or joint resolutions set as special orders for consideration at the same hour shall take precedence in the order in which they were given preference. Provided however, that the Committee on Rules, Calendar, Privileged Business and Ethics shall, except for the last week of a regular session, reserve one legislative day each week for the consideration by the Senate of the General Order Calendar.

Senator Horne: Mr. President, there seems to be some problem in interpreting Rule 3.13. Some seem to feel that if a committee bill comes out then no senator can put his signature to it except the chairman of that committee. They are using the disjunctive "or" to preclude the participation by others authorized for introduction. The intent of the drafters was to broaden the method of introduction beyond signatures by a senator or group of senators, but not by that process to preclude any other joint participation in the introduction of a bill. I want to raise an inquiry to the point that Rule 3.13 in no way precludes a senator from co-introducing with a committee or placing his name on a committee bill with the chairman.

President: As to the point, the chair rules, in the broadest sense, that a general bill or a short form bill considered as a committee bill can enjoy the co-sponsorship individually or jointly of senators.

## RESOLUTIONS

**SCR 400**—A concurrent resolution designating State Road 809 as the "Military Trail".

—was read the second time.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

**Amendment 1**—On page 1, line immediately following line 23 insert the following: BE IT FURTHER RESOLVED that the department of transportation is authorized and requested to erect appropriate markers to designate "Military Trail".

SCR 400, as amended, was read in full as follows:

**SCR 400**—A concurrent resolution designating State Road 809 as the "Military Trail".

WHEREAS, during the Second Seminole War in Florida Major General Thomas S. Jessup, Commander of the Army of the South did in November of 1836, determine it necessary to establish a series of military posts throughout southeast Florida; and

WHEREAS, the military highway utilized by General Thomas S. Jessup as a communications link between said military posts is now known as State Road 809; and

WHEREAS, State Road 809 is unofficially referred to as the "Military Trail" in recognition of General Thomas S. Jessup's military activities in Florida;

NOW THEREFORE:



*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That State Road 809 be designated as the "Military Trail".

BE IT FURTHER RESOLVED that the department of transportation is authorized and requested to erect appropriate markers to designate "Military Trail".

On motion by Senator Poston, SCR 400 as amended was adopted and ordered engrossed. The vote was:

Yeas—40

Mr. President	Childers	Hollahan	Poston
Arnold	Daniel	Johnson (29th)	Reuter
Barron	Deeb	Johnson (34th)	Saunders
Barrow	de la Parte	Karl	Sayler
Beaufort	Ducker	Knopke	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brantley	Haverfield	Myers	Weber
Broxson	Henderson	Plante	Wilson

Nays—None

By unanimous consent Senators Weissenborn and Williams were recorded as voting yea.

SR 395—A resolution relating to the Rodman Reservoir; requesting that the level of water be lowered to thirteen (13) feet above mean sea level.

WHEREAS, there are more than one thousand (1,000) acres of live hardwood trees in Rodman Reservoir, and

WHEREAS, if the water level at Rodman Reservoir is maintained at its present depth, these trees will be destroyed, and

WHEREAS, if the water level were lowered, up to eighty percent (80%) of these trees could be saved, and

WHEREAS, future seedlings will not have a chance to survive at the present water level, and

WHEREAS, a water level of thirteen (13) feet will save living trees and future generations of trees, NOW THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the water level of Rodman Reservoir be lowered to a level of thirteen (13) feet above mean sea level.

BE IT FURTHER RESOLVED that the Florida cabinet is respectfully asked to effectuate the lowering of the water level of Rodman Reservoir to a level of thirteen (13) feet above mean sea level.

—was read the second time in full. On motion by Senator Ducker, SR 395 was unanimously adopted.

## UNFINISHED BUSINESS

SB 11—A bill to be entitled An act relating to obscene materials and privacy; authorizing a civil action for invasion of right of privacy; providing for damages and assessment of attorney's fees; providing an effective date.

—was taken up with the following pending amendment which was adopted:

Amendment 2—On pages 1 and 2, on page 1 strike lines 23-31; page 2 strike lines 1 and 2 and insert: Section 1. Any person who knowingly or negligently transmits, distributes, sends, or displays, without request, any obscene, lewd, lascivious, or filthy matter to another, or any person who knowingly or negligently transmits, distributes, sends, or displays to a minor any obscene, lewd, lascivious, or filthy matter, without the prior request or approval of the parent or guardian of such minor,

shall be liable in a civil action for compensatory and punitive damages for invasion of the right of privacy of the person to whom the matter was transmitted, distributed, sent or displayed.

Senators Gunter and Graham offered the following amendment which was adopted on motion by Senator Gunter:

Amendment 3—On page 2, line 7 insert: Section 2. Nothing in this act shall be construed to abrogate or restrict any existing common law or statutory rights.

Renumber remaining section

On motion by Senator Gunter, by two-thirds vote SB 11 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Deeb	Johnson (29th)	Saunders
Barrow	de la Parte	Johnson (34th)	Sayler
Bell	Ducker	Knopke	Scarborough
Bishop	Fincher	Lane	Stolzenburg
Boyd	Graham	Lewis (33rd)	Trask
Brantley	Gunter	Lewis (43rd)	Ware
Broxson	Haverfield	McClain	Weber
Childers	Henderson	Myers	Wilson
Daniel	Hollahan	Poston	

Nays—None

By unanimous consent Senators Beaufort, Barron, Plante, Weissenborn, Williams and Arnold were recorded as voting yea.

By permission Senators Thomas, Hollahan and McClain were recorded as co-introducers of SB 11.

## SECOND READING

On motion by Senator Johnson (29th), consideration of SB 92 was deferred.

SB 79—A bill to be entitled An act relating to the registration of motorboats; amending §371.051(2), Florida Statutes, to provide that the annual registration period for boats shall correspond to the annual registration period for motor vehicles; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote SB 79 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	de la Parte	Johnson (29th)	Saunders
Barrow	Ducker	Knopke	Sayler
Bell	Fincher	Lane	Scarborough
Boyd	Gong	Lewis (33rd)	Stolzenburg
Brantley	Graham	Lewis (43rd)	Trask
Broxson	Gunter	McClain	Ware
Childers	Haverfield	Myers	Wilson
Daniel	Henderson	Poston	
Deeb	Hollahan	Reuter	

Nays—None

By unanimous consent Senators Barron, Plante, Weissenborn, Williams and Arnold were recorded as voting yea.

SB 117—A bill to be entitled An act relating to service of process; amending section 48.021, Florida Statutes, permitting a licensed private investigator maintaining an office in a county to serve process on a person if said person is found within that county; providing for payment of fees for private investigator and person appointed under rule of court to serve process; providing an effective date.

—was read the second time by title. On motion by Senator Bell, by two-thirds vote SB 117 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—35

Mr. President	Deeb	Johnson (29th)	Reuter
Arnold	de la Parte	Johnson (34th)	Saunders
Beaufort	Ducker	Knopke	Saylor
Bell	Fincher	Lane	Scarborough
Boyd	Gong	Lewis (33rd)	Stolzenburg
Brantley	Graham	Lewis (43rd)	Trask
Broxson	Haverfield	McClain	Ware
Childers	Henderson	Myers	Wilson
Daniel	Hollahan	Poston	

## Nays—1

## Barrow

By unanimous consent Senators Williams, Barron, Plante, Weissenborn and Gunter were recorded as voting yea.

**SB 89**—A bill to be entitled An act relating to service of process; amending §48.031, Florida Statutes, to provide that refusal of the person being served to accept the process or witness subpoena in hand shall not invalidate the service; providing an effective date.

—was read the second time by title. On motion by Senator Johnson (34th), by two-thirds vote SB 89 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—38

Mr. President	Daniel	Johnson (34th)	Saylor
Arnold	Deeb	Knopke	Scarborough
Barrow	de la Parte	Lane	Stolzenburg
Beaufort	Gong	Lewis (33rd)	Trask
Bell	Graham	Lewis (43rd)	Ware
Bishop	Gunter	McClain	Weissenborn
Boyd	Haverfield	Myers	Williams
Brantley	Henderson	Poston	Wilson
Broxson	Hollahan	Reuter	
Childers	Johnson (29th)	Saunders	

## Nays—None

By unanimous consent Senators Barron and Plante were recorded as voting yea.

**SB 159**—A bill to be entitled An act relating to notary seals; amending §117.07, Florida Statutes, to provide that seals may be of the rubber-stamp or impression type; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote SB 159 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—40

Mr. President	Daniel	Hollahan	Reuter
Arnold	Deeb	Johnson (29th)	Saunders
Barrow	de la Parte	Johnson (34th)	Saylor
Beaufort	Ducker	Knopke	Scarborough
Bell	Fincher	Lane	Stolzenburg
Bishop	Gong	Lewis (33rd)	Trask
Boyd	Graham	Lewis (43rd)	Ware
Brantley	Gunter	McClain	Weissenborn
Broxson	Haverfield	Myers	Williams
Childers	Henderson	Poston	Wilson

## Nays—None

By unanimous consent Senator Plante was recorded as voting yea.

**SB 223**—A bill to be entitled An act relating to governmental boards and agencies of state, county and municipal governments; prohibiting abstention from voting by members of such boards and agencies in matters requiring votes; providing an exception; providing an effective date.

—was read the second time by title. On motion by Senator Daniel, by two-thirds vote SB 223 was read the third time by title, passed and certified to the House. The vote was:

## Yeas—40

Mr. President	Daniel	Hollahan	Reuter
Arnold	Deeb	Johnson (29th)	Saunders
Barrow	de la Parte	Johnson (34th)	Saylor
Beaufort	Ducker	Knopke	Scarborough
Bell	Fincher	Lane	Stolzenburg
Bishop	Gong	Lewis (33rd)	Trask
Boyd	Graham	Lewis (43rd)	Ware
Brantley	Gunter	McClain	Weissenborn
Broxson	Haverfield	Myers	Williams
Childers	Henderson	Poston	Wilson

## Nays—None

By unanimous consent Senators Barron and Plante were recorded as voting yea.

By permission Senators Thomas and Barrow were recorded as co-introducers of SB 223.

**SB 39**—A bill to be entitled An act relating to municipal annexation; providing a procedure supplemental to all other laws for voluntary annexation of unincorporated area into a municipality upon petition of all owners of real property and adoption of annexation ordinance; providing an effective date.

—was read the second time by title.

On motion by Senator Johnson (34th) the following amendment was adopted:

**Amendment 1**—On page 1, line 28 after the word "property" insert the following: Said ordinance shall be passed after same has been published once a week for 4 consecutive weeks in some newspaper in such city or town; or if no newspaper is published in said city or town, then in a newspaper published in the same county, and if no newspaper is published in said county, then at least 3 printed copies of said ordinance shall be posted for 4 consecutive weeks at some conspicuous place in said city or town.

On motion by Senator Johnson (34th), by two-thirds vote SB 39 as amended was read the third time by title.

Senator Stolzenburg moved the adoption of the following amendment which failed:

**Amendment 2**—On page 1, line 17 after the word "property" insert: less than five acres

SB 39 as amended passed and was ordered engrossed. The vote was:

## Yeas—24

Mr. President	Fincher	Johnson (34th)	Plante
Beaufort	Graham	Karl	Poston
Boyd	Gunter	Knopke	Reuter
Brantley	Haverfield	Lewis (33rd)	Saylor
Daniel	Henderson	Lewis (43rd)	Ware
Deeb	Johnson (29th)	Myers	Wilson

## Nays—12

Arnold	Childers	Lane	Stolzenburg
Bell	Ducker	McClain	Trask
Broxson	Hollahan	Scarborough	Weber

By unanimous consent Senator Weissenborn was recorded as voting yea; Senator Barrow as voting nay.

SB 41 was taken up, together with:

By the Committee on Commerce—

**CS for SB 41**—A bill to be entitled An Act relating to professional engineers and land surveyors; amending subsection 471.02(3), defining "board"; adding subsection (6) to §471.05, Florida Statutes, to exempt registered land surveyors who take or contract for professional engineering services from the provisions of Chapter 471, Florida Statutes; adding subsection (3) to §471.20, Florida Statutes, to provide a registration fee for engineers-in-training; amending §471.26, Flor-

ida Statutes; providing for the revocation or suspension of a certificate or registration of a person adjudicated incompetent; excepting any person guilty of a felony or adjudicated incompetent from provisions requiring notice and hearing before his certificate is revoked or suspended or he is placed on probation; authorizing an appeal from a decision of the board for such persons; amending §§471.38(1) and (2), 471.39, 471.40, 471.41 and 471.42, Florida Statutes, which relate to engineering scholarship loans, to provide for the award of scholarship loans for the study of land surveying and the procedures therefor; amending §472.08, Florida Statutes; exempting professional engineers from provisions of Chapter 472, Florida Statutes; amending §472.10(3), Florida Statutes, authorizing the board of engineer-land surveyor examiners to revoke or suspend a certificate of registration because of an adjudication of mental incompetency or conviction of a felony; providing for procedural guarantees for a certificate holder before said revocation or suspension, and providing exceptions; providing that an aggrieved certificate holder may appeal to the circuit court, pursuant to §471.28, Florida Statutes; adding subsections (6) and (7) to §472.11, Florida Statutes; authorizing the issuance of a certificate of registration to corporations, partnerships, associations or persons practicing under fictitious names; requiring the approval of the board prior to incorporation; providing an effective date.

—which was read the first time by title and SB 41 was laid on the table.

On motions by Senator Lewis (33rd), by two-thirds vote CS for SB 41 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Deeb	Johnson (29th)	Plante
Arnold	Ducker	Johnson (34th)	Poston
Barrow	Fincher	Karl	Reuter
Beaufort	Gong	Knopke	Sayler
Bell	Graham	Lane	Scarborough
Boyd	Gunter	Lewis (33rd)	Stolzenburg
Brantley	Haverfield	Lewis (43rd)	Ware
Broxson	Henderson	McClain	Weber
Childers	Hollahan	Myers	Wilson

Nays—None

By unanimous consent Senators Barron and Trask were recorded as voting yea.

**SB 210**—A bill to be entitled An act relating to candidates' campaign contributions and reports; amending §99.161(4), (8), as amended by chapter 70-133, Laws of Florida, and (15), Florida Statutes, providing that the cutoff time for receiving contributions be changed from five (5) days to ten (10) days prior to the election; providing that five (5) days prior to the election a complete final report of contributions received shall be filed by the campaign depository and others for each candidate; providing an effective date.

—was read the second time by title.

Senator Wilson moved that further consideration of SB 210 be deferred and the motion failed.

On motion by Senator Ware, further consideration of SB 210 was deferred.

**SB 178**—A bill to be entitled An act relating to elections; amending §98.051(1), Florida Statutes, to provide additional times the office of the supervisor of elections may be open; providing an effective date.

—was read the second time by title.

The Committee on Judiciary—Civil B offered the following amendment which was adopted on motion by Senator Barrow:

**Amendment 1**—On page 1, lines 20—21, section 1, strike all of lines 20 through and including line 21 and insert: applicants to be registered to vote. *The office of the supervisor may be kept open for receiving applications for voter registration at such other times as the supervisor deems advisable except as otherwise provided in this section. Such offices*

On motion by Senator Reuter, by two-thirds vote SB 178 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

Mr. President	Ducker	Johnson (34th)	Poston
Arnold	Fincher	Karl	Reuter
Barron	Gong	Knopke	Sayler
Beaufort	Graham	Lane	Scarborough
Bell	Gunter	Lewis (33rd)	Stolzenburg
Brantley	Haverfield	Lewis (43rd)	Ware
Childers	Henderson	McClain	Weissenborn
Deeb	Hollahan	Myers	Williams
de la Parte	Johnson (29th)	Plante	Wilson

Nays—None

By unanimous consent Senators Trask, Daniel and Broxson were recorded as voting yea.

**SB 208**—A bill to be entitled An act naming that portion of U. S. Highway 19, being in Pinellas County and running from the Pasco County line to the William Ennels Dean, Jr., Bridge, "Eisenhower Boulevard"; authorizing the department of transportation, in cooperation with the board of county commissions of Pinellas County, to erect appropriate markers designating "Eisenhower Boulevard"; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote SB 208 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	de la Parte	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Sayler
Barrow	Fincher	Knopke	Scarborough
Beaufort	Gong	Lane	Stolzenburg
Bell	Graham	Lewis (33rd)	Ware
Boyd	Gunter	Lewis (43rd)	Weber
Brantley	Haverfield	McClain	Wilson
Broxson	Henderson	Myers	
Childers	Hollahan	Plante	
Deeb	Johnson (29th)	Poston	

Nays—None

By unanimous consent Senators Weissenborn, Trask and Barron were recorded as voting yea.

**SB 241**—A bill to be entitled An act relating to shrimp preserves; amending subsections 370.15(6), 370.151(6), (7) and 370.152(8), Florida Statutes, making a second conviction for unauthorized shrimping in closed areas therein described a felony; providing penalties; amending chapter 370, Florida Statutes, by adding section 370.153, providing for revocation of, and ineligibility to apply for, a shrimp permit in the event of such unauthorized shrimping; providing an effective date.

—was read the second time by title.

On motion by Senator Barrow the following amendment was adopted:

**Amendment 1**—On page 3, lines 1 through 3 strike all of lines 1, 2, and 3 and insert: *second violation by any person under this subsection shall be a misdemeanor of the second degree, punishable as provided in §§775.082 or 775.083. A third or any subsequent violation by any person under this subsection shall be a felony of the third degree, punishable as provided in §§775.082 or 775.083.*

On motion by Senator Barrow the following amendment was adopted:

**Amendment 2**—Strike all of line 29, page 3, and all of lines 1 and 2, page 4, and insert: *§§775.082 or 775.083. A second violation shall be a misdemeanor of the second degree punishable as provided in §§775.082 or 775.083. A third or subsequent violation by any person under this subsection shall be a felony of the third degree, punishable as provided in §§775.082 or 775.083. Due regard shall be*

Senator Knopke presiding.

On motion by Senator Barrow the following amendment was adopted:

**Amendment 3**—Strike all of line 28, page 4 and insert *have his permit and the permit of the boat involved in the violation, issued pursuant to Section 370.15(5),*

On motion by Senator Barrow the following amendment was adopted:

**Amendment 4**—On page 5, strike all of line 3 and insert: *of such conviction. If a person not having a permit is convicted hereunder, that person and the boat involved in the violation shall not be eligible for such a permit for five (5) years.*

Senator Broxson moved the adoption of the following amendment:

**Amendment 5**—(1) On page 2, line 12 strike for the first conviction

(2) page 2 line 14 strike after "775.083" through and including line 17.

(3) page 2 line 29 strike after "confiscated" through and including line 3 page 3

(4) page 3 line 29 strike after "775.083" through and including page 4 line 2 "775.083".

The amendment failed by the following vote:

#### Yeas—12

Barron	Childers	Hollahan	Poston
Bell	Deeb	Lane	Stolzenburg
Broxson	Gong	Myers	Weber

#### Nays—27

Mr. President	Ducker	Karl	Saylor
Arnold	Graham	Knopke	Scarborough
Barrow	Haverfield	Lewis (33rd)	Trask
Beaufort	Henderson	Lewis (43rd)	Ware
Brantley	Horne	McClain	Williams
Daniel	Johnson (29th)	Plante	Wilson
de la Parte	Johnson (34th)	Saunders	

On motion by Senator Barrow, by two-thirds vote SB 241 as amended was read the third time by title, passed and ordered engrossed. The vote was:

#### Yeas—27

Mr. President	Ducker	Johnson (34th)	Saunders
Arnold	Graham	Karl	Saylor
Barrow	Gunter	Knopke	Scarborough
Beaufort	Haverfield	Lewis (33rd)	Trask
Brantley	Henderson	Lewis (43rd)	Ware
Daniel	Horne	McClain	Wilson
de la Parte	Johnson (29th)	Plante	

#### Nays—12

Barron	Childers	Lane	Stolzenburg
Bell	Gong	Myers	Weber
Broxson	Hollahan	Poston	Williams

By unanimous consent Senators Reuter and Weissenborn were recorded as voting yea.

The President presiding.

On motion by Senator Hollahan, by two-thirds vote SB 210 was retained on second reading.

#### CO-INTRODUCERS

By permission, Senator Poston was recorded as a co-introducer of Senate Bills 268 and 41; Senator Gunter as a co-introducer of SB 306; Senator Beaufort as a co-introducer of SB 338; and Senator McClain as a co-introducer of SB 421.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to convene at 8:30 a.m. for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., February 9, 1972.